

Application Serial No. 10/791,018
Reply to Office Action of April 17, 2006

REMARKS

The application has been reviewed in light of the Final Office Action mailed on April 17, 2006. It is respectfully submitted that the claims pending in the application, namely, Claims 1-36, are fully supported by the specification, introduce no new subject matter, and are patentably distinct over the prior art. In view of the remarks to follow, reconsideration and allowance of this application are respectfully requested.

Rejection of Claims 1, 6-9, 12, 14, 15, 17, 21-28, 30, 31, 35 and 36 under 35 U.S.C. § 103

Claims 1, 6-9, 12, 14, 15, 17, 21-28, 30, 31, 35 and 36 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent Application No. 2005/0011957 to Attia, et al. (hereinafter "Attia") in view of U.S. Patent No. 6,819,386 B2 issued to Roosendaal on November 16, 2004 (hereinafter "Roosendaal"). The rejection is respectfully traversed.

Attia is directed to a system and method for decoding and analyzing barcodes using a mobile device which includes a mobile device 105 with internal circuitry and Scan Zoom software for decoding a barcode 103. See Paragraph [0060].

With respect to independent Claims 1 and 15, it is respectfully submitted that Attia does not disclose "an extended light source emitting an extended-beam light for directly illuminating an optical code with an illuminating light, the extended light source including one of a backlight assembly and a frontlight assembly," as recited in independent Claim 1, and similarly recited by independent Claim 15, and as conceded by the Examiner in the Final Office Action. In addition, Attia does not disclose or suggest "at least one image sensor for sensing the illuminating light reflected by the optical code and generating signals related to at least one image of the optical code" as recited in independent Claim 1, and similarly recited in

Application Serial No. 10/791,018
Reply to Office Action of April 17, 2006

independent Claim 15. It is respectfully submitted that Roosendaal does not cure the deficiencies of Attia with respect to independent Claims 1 and 15 as further discussed below.

With respect to independent Claim 22, Attia fails to disclose or suggest “the illuminated display being configured to provide an extended-beam light for illuminating an optical code with an illuminating light; and a camera disposed within the housing for sensing the optical code illuminated by the illuminated display and generating corresponding signals” as recited in independent Claim 22. In contrast, the system and method for decoding and analyzing in the Attia disclosure uses ambient light for illumination. See for example Paragraph [0070] where Attia explicitly recites “API 301 causes a ‘viewfinder’ window to open on mobile device 105’s display in step 353. This allows the user to make sure that barcode 103 is in proper focus and amply illuminated.” See also Paragraph [0073]. As such, Attia further fails to disclose or suggest “a camera for sensing the optical code illuminated [by the illuminating light of] the illuminated display” as required by independent Claim 22. Therefore, it is respectfully submitted that Roosendaal does not cure the deficiencies of Attia with respect to independent Claim 22 as further discussed below.

With respect to independent Claims 31, 35 and 36, Attia fails to disclose or suggest “providing for receiving an optical code read activation signal,” “providing for clearing displayed data on a display screen in response to the activation signal,” and “providing for controlling illumination of the display for providing illumination of the optical code with an extended-beam light,” as recited by independent Claim 31 and similarly recited by independent Claims 35 and 36 which are directed to a computer readable medium and a computer data signal. It is respectfully submitted that Roosendaal does not cure the deficiencies of Attia with respect to independent Claims 31, 35 and 36 as further discussed below.

Application Serial No. 10/791,018
Reply to Office Action of April 17, 2006

Roosendaal describes an apparatus having a flat display. The apparatus includes a light modulating device 10 having a nematic liquid crystal material 12 positioned between two substrates 13 and 14 having electrodes 15, 16, 17 and 18. During use the display is viewed by a viewer from the direction 7, which is diagrammatically indicated by the eye 20. See Column 2, lines 22-46.

Roosendaal does not disclose or suggest direct illumination which describes light traveling in a straight path from a light source to the illuminated objects in a scene. Further, Roosendaal does not disclose or suggest a sensor, a camera or any other means for sensing the illuminating light reflected by the illuminated object.

In contrast, Roosendaal discloses "a number of LEDs 35a, 35b whose emitted light is alternately emitted in the direction 7 and in the direction 8." Column 3, lines 28-29. The apparatus described by Roosendaal merely provides illumination for illuminating a transfective display, and not for directly illuminating an object in a scene.

In particular, with respect to independent Claims 1 and 15, the apparatus described by Roosendaal does not include an extended light source for directly illuminating an optical code with an illuminating light and a sensor for sensing the illuminating light reflected by the optical code as required by Applicants' independent Claim 1, and similarly required by independent Claim 15. In sum, the apparatus described by Roosendaal cannot directly illuminate an optical code with an illuminating light and sense the illuminating light reflected by the optical code as recited by Applicants' independent Claims 1 and 15. Therefore, the apparatus described by Roosendaal does not cure the deficiencies of Attia with respect to independent Claims 1 and 15.

Application Serial No. 10/791,018
Reply to Office Action of April 17, 2006

Further, the apparatus described by Roosendaal does not include an illuminated display configured to provide an extended-beam light for illuminating an optical code with an illuminating light and a camera for sensing the optical code illuminated by the illuminated display as required by independent Claim 22. Therefore, the apparatus described by Roosendaal does not cure the deficiencies of Attia with respect to independent Claim 22.

Further still, the apparatus described by Roosendaal is not able to provide for receiving an optical code read activation signal; provide for clearing displayed data on a display in response to the activation signal; and provide for controlling illumination of the display for providing illumination of the optical code with an extended-beam light as required by independent Claims 31, 35 and 36. Therefore, the apparatus described by Roosendaal does not cure the deficiencies of Attia with respect to independent Claims 31, 35 and 36.

Therefore, Applicants respectfully request the withdrawal of the rejection with respect to independent Claims 1, 15, 22, 31, 35 and 36 and the allowance thereof. Dependent Claims 6-9, 12, 14, 15, 17, 18, 21, 23-28 and 30 depend directly or indirectly from independent Claims 1, 15 and 22. As discussed hereinabove, independent Claims 1, 15 and 22 are believed to be allowable over the prior art of record. Therefore, for at least the reasons given above with respect to these independent claims, dependent Claims 6-9, 12, 14, 15, 17, 18, 21, 23-28 and 30 are also believed to be allowable over the cited references. Therefore, Applicants respectfully request the withdrawal of the rejection with respect to dependent Claims 6-9, 12, 14, 15, 17, 18, 21, 23-28 and 30 and the allowance thereof.

Allowable Subject Matter

The Applicants note with appreciation the Examiner's continued indication that dependent Claims 2-5, 10, 11, 13, 16, 18-20, 29 and 32-34 would be allowable if rewritten in

Application Serial No. 10/791,018
Reply to Office Action of April 17, 2006

independent form including all of the limitations of the base claim and any other intervening claims.

Applicants respectfully submit that dependent Claims 2-5, 10, 11, 13, 16, 18-20, 29 and 32-34 depend directly or indirectly from independent Claims 1, 15, 22 and 31. As discussed hereinabove, independent Claims 1, 15, 22 and 31 are believed to be allowable over the prior art of record. Therefore, for at least the reasons given above with respect to these independent claims, dependent Claims 2-5, 10, 11, 13, 16, 18-20, 29 and 32-34 are also believed to be allowable over the cited references. Therefore, Applicants respectfully request the allowance of dependent Claims 2-5, 10, 11, 13, 16, 18-20, 29 and 32-34.

Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully submit that none of the references of record, considered individually or in combination, in whole or in part, disclose or suggest the claimed subject matter. Therefore, all claims now pending in this application, namely, Claims 1-36, are now in condition for allowance. Accordingly, early and favorable consideration of this application is respectfully requested.

Application Serial No. 10/791,018
Reply to Office Action of April 17, 2006

Should the Examiner believe that a telephone or personal interview may facilitate resolution of any remaining matters, he is respectfully requested to contact Applicants' undersigned attorney at the telephone number indicated below.

Respectfully Submitted,



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